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Attorneys for Defendant, Counter-Claimant and  
 Cross-Claimant CITY OF EUREKA

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

KFD ENTERPRISES, INC., a California  
 Corporation dba Norman's Dry Cleaner,

Plaintiff,

v.

CITY OF EUREKA,

Defendant.

CASE NO. CV-08-4571 MMC

STIPULATION AND [~~PROPOSED~~]  
 ORDER RE: VOLUNTARY DISMISSAL  
 OF CITY OF EUREKA'S FOURTH  
 AMENDED CROSS-CLAIM AGAINST  
 CROSS-DEFENDANT ECO DRY OF  
 AMERICA, INC.

[FRCP Rule 41(a)(2)]

\_\_\_\_\_  
 AND RELATED CROSS-CLAIMS AND  
 THIRD PARTY CLAIMS  
 \_\_\_\_\_

IT IS HEREBY STIPULATED AND AGREED by and between CROSS-CLAIMANT  
 CITY OF EUREKA ("Eureka") and CROSS-DEFENDANT ECO DRY OF AMERICA, INC.  
 ("ECO DRY") through their respective counsel of record as follows:

EUREKA's Fourth Amended Cross-Claim shall be dismissed without prejudice as to  
 Cross-Defendant ECO DRY only. Each party shall bear their own fees and costs

IT IS SO STIPULATED.

//



1 DATED: January 3, 2012

DAVIDOVITZ & BENNETT LLP

2  
3 By: /s/ Charles Bolcom  
4 MORIS DAVIDOVITZ  
5 CHARLES H. BOLCOM  
Attorneys for Cross-Defendant CITY OF  
EUREKA

6 (The filer hereby attests that concurrence in the filing of this document has been obtained from  
7 the signatory below.)

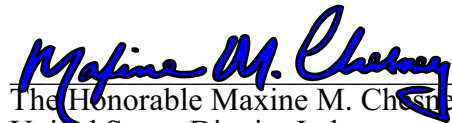
8 DATED: January 3, 2012

LEWIS BRISBOIS BISGAARD & SMITH LLP

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11 By: /s/ Robert Farrell  
12 GLENN A. FRIEDMAN  
13 ROBERT FARRELL  
Attorneys for Cross-Defendant ECO DRY OF  
AMERICA

14  
15 IT IS SO ORDERED.

16  
17  
18 DATE: January 9, 2012

  
The Honorable Maxine M. Chesney  
United States District Judge